

**BEST AVAILABLE COPY****RECEIVED  
CENTRAL FAX CENTER  
JAN 18 2005****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of: PAULSHUS, Bjorn et al. GAU: 3635  
Serial No. 09/871,608 Examiner: NGUYEN, Chi Q  
Filed: 05/31/2001 Atty Dkt. No. 7822-82871  
For: TENSION MEMBER

To: Mail Stop Amendment  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Fr:

**24222**

CERTIFICATE OF FACSIMILE 37 CFR 1.8: I certify that this correspondence is being faxed to: Examiner Chi Q. Nguyen at FAX #: 703-872-9306, TEL #: 703-605-1224 on the below date.

Date: 01/18/2005[☒] Debra A. Stengel or [☐] Andrew P. Cornota, Reg. No. 52,711

Commissioner:

**RESUBMISSION OF RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**  
**Filed May 7, 2004**

Pursuant to a telephone conversation on January 18, 2005 between Examiner Chi Q. Nguyen, USPTO, and Debra Stengel, of Maine & Asmus, Applicant respectfully resubmits Response to Notice of Non-Compliant Amendment, originally timely filed on May 7, 2004 via Express Mail No. EL 995605548 US, by previous attorney of record Thomas W. Tolpin of Welsh & Katz Ltd. According to Examiner Nguyen he has not received the Response to Notice of Non-Compliant Amendment, even though it appears in the application's Image File Wrapper, showing received by the Office on May 7, 2004 and received in GAU 3600 on May 12, 2004. Therefore, he suggested this resubmission.

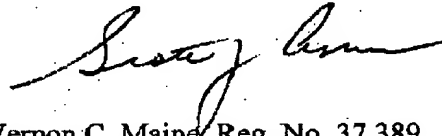
Applicant respectfully herein submits:

- 1) 4 pages Response to Notice of Non-Compliant Amendment, submitted May 7, 2004;
- and
- 2) 1 page copy of original Express Mail label, original mail back card and mail back card stamped received by USPTO OIPE on May 7, 2004.

**Please note that on August 30, 2004 a Request for Change of Correspondence Address was filed by Maine & Asmus transferring this application to Customer No. 24222.**

[X] DEPOSIT ACCOUNT 500323 AUTHORIZATION - All necessary fees relating to the attached submittal, if any, are intended to be included. However, the Office is hereby authorized to charge any deficiency or credit any overpayment in the fees relating to the submittal to deposit account 500323, registered to Vernon C. Maine P.L.L.C., dba Maine & Asmus, contact telephone no. 603-886-6100.

Respectfully submitted,



Vernon C. Maine, Reg. No. 37,389  
Scott J. Asmus, Reg. No. 42,269  
Neil F. Maloney, Reg. No. 42,833  
Andrew P. Cernota, Reg. No. 52,711  
Attorneys/Agents for Applicant

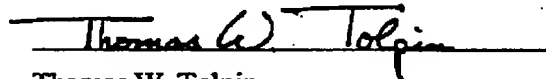
Cus. No. 24222  
Maine & Asmus  
PO Box 3445  
Nashua, NH 03061-3445  
Tel. No. (603) 886-6100, Fax. No. (603) 886-4796  
Info@maineandasmus.com

## BEST AVAILABLE COPY

Authorization is hereby given to charge any deficiency in fees in connection with the subject patent application to our Deposit Account No. 23-0920.

The Legal Instruments Examiner and Patent Examiner are invited and encouraged to contact the undersigned attorney to expedite this application to allowance, if the preceding does not already place the above-identified application in condition for allowance.

Respectfully submitted,



Thomas W. Tolpin  
Registration Number 27,600  
Attorney for Applicants

Address:  
Welsh & Katz, Ltd.  
22nd Floor  
120 South Riverside Plaza  
Chicago, IL 60606

Phone: (312) 655-1500

**BEST AVAILABLE COPY**

RECEIVED  
CENTRAL FAX CENTER

JAN 18 2005

**Certificate of Express Mailing**

**Express Mail** mailing label number EL995605548US

**Date of Deposit:** May 7, 2004

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail" Post Office to Addressee. Service under 37 CFR 1.10 is on the date indicated above and addressed to: Mail Stop: Amendment-No Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. The person mailing this paper is:

John Rembert

Typed or Printed Name of Person Mailing Paper of Fee

John Rembert

Signature of Person Mailing Paper or Fee

U.S. Patent Application of PAULSHUS et al.  
 Title: TENSION MEMBER  
 Serial No.: 09/871,608  
 Filed: May 31, 2001  
 Express No.: EL995605548US

TWT/mb

Attorney Docket No. 7822-82871  
 Group Art Unit: 3637  
 Legal Instruments Examiner: Tonya McBride

Certificate of Express Mailing and Reply to Notice Of Non-Complaint Amendment.

Mail Stop: Amendment-No Fee  
 Commissioner for Patents:  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Please acknowledge receipt of the above-identified documents by applying the Patent and Trademark Office receipt hereto and mailing this card.

Respectfully,

Welsh &amp; Katz, Ltd.

**BEST AVAILABLE COPY**

ORIGIN (POSTAL USE ONLY)		DELIVERY (POSTAL USE ONLY)	
PO ZIP Code 10007	Day of Delivery 1st Day	Delivery Attempt Mo. Day	Time AM PM
Date In 5/31/01	Postage \$13.65	Delivery Attempt Mo. Day	Time AM PM
Time In 5:33 AM	Return Receipt Fee	Delivery Date Mo. Day	Time AM PM
Weight 2.10 lbs.	Int'l Alpha Country Code	<input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Only) Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent if delivery employee judges that article can be left in secure location and I authorize that delivery employee's signature constitutes valid proof of delivery.	
to Delivery Yes	Acceptance Clerk Initials AS	<input type="checkbox"/> NO DELIVERY <input type="checkbox"/> Washers <input type="checkbox"/> Holiday	
DETECTOR USE ONLY ETD OF PAYMENT: press Mail Corporate Acct. No. X607358	Total Postage & Fees \$13.65	Customer Signature	
FROM: (PLEASE PRINT) Thomas W. Tolpin	TO: (PLEASE PRINT) MAIL STOP Amendment-fee COMMISSIONER FOR PATENTS WASHINGTON, DC 20540-1000	Federal Agency Acct. No. or Postal Service Acct. No.	
U.S. Patent Application of PAULSHUS et al. Title: TENSION MEMBER Serial No.: 09/871,608 Filed: May 31, 2001 Express No.: EL995605548US			
Attorney Docket No. 7822-82871 Group Art Unit: 3637 Legal Instruments Examiner: Tonya McBride			
Certificate of Express Mailing and Reply to Notice Of Non-Complaint Amendment.			
Mail Stop: Amendment-No Fee Commissioner for Patents: P.O. Box 1450 Alexandria, VA 22313-1450			
Please acknowledge receipt of the above-identified documents by applying the Patent and Trademark Office receipt hereto and mailing this card.			
Respectfully, Welsh & Katz, Ltd.			

Customer Copy

Label 11-F June 2002



UNITED STATES POSTAL SERVICE

Post Office To Addressee

Label 11-F June 2002

see

J2  
T22

001

405